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## Facsimile

**To:** Daniel Stemmer, Legal Examiner, PCT Legal Affairs  
**Company:** Office of Patent Cooperation  
Treaty Legal Administration  
USPTO  
**Fax Number:** 571-273-0459

**City/Country:** Legal Staff  
International Division  
**Phone Number:** 571-272-3301

**Date:** March 3, 2006  
**Re:** US application no. 10/523,109  
**Total Pages:** 6 (including cover)  
**File Number:** V80440US  
**CopyTrak #:**

Please see the attached a response to December 5, 2005 Decision with respect to the above application.

If there is a problem with transmission or all pages are not received, please call for retransmission.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paukov, Ladislav  
Application No: 10/523,109  
PCT application no.: PCT/CA03/00927  
Title: Bung for a Paper Roll  
Assignee: Englewood Ventures Inc.  
International filing date: 10 June 2003  
Priority date: 10 June 2002  
Attorney docket no: V80440US

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Daniel Stemmer  
Legal Examiner  
PCT Legal Affairs

## RESPONSE TO DECEMBER 5, 2005 DECISION

Applicant respectfully requests reconsideration of its Petition to Revive, filed February 3, 2005, which was dismissed in the "Decision on Petition Under 37, 1,137(a)" dated August 16, 2005 and in the "Decision" dated December 5, 2005.

The December 5, 2005 Decision indicated that the declaration of Fay Ferreira previously submitted by Applicant merely contains an assertion that there was an error and that no evidence has been provided to support this assertion.

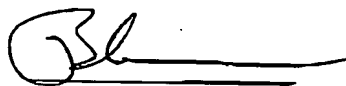
Accordingly, Applicant herewith submits a Declaration from Matt Friesen as direct evidence of the error that led to the unintentional delay in the filing of the subject application. Mr. Friesen's Declaration explains that the delay was a direct result of an unintentional clerical error by committed by Mr. Friesen.

On February 2, 2006, Applicant filed a Petition for Extension of Time to March 5, 2006 as well as a Revocation of Power Of Attorney and New Power of Attorney appointing the practitioners associated with Customer Number 35091. Accordingly, Applicant believes this Response is timely and properly submitted.

DATED: March 3, 2006

Respectfully Submitted,

By:



Brian Y. Lee  
Reg. No. 47329  
Agent for Applicant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paukov, Ladislav  
Application No: 10/523,109  
PCT application no.: PCT/CA03/00927  
Title: Bung for a Paper Roll  
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**DECLARATION**

I, Matt Friesen, Managing Partner and owner of Englewood Ventures Inc., doing business as Global Plastics, (hereinafter, the "Company") hereby declare as follows:

1. I have been Managing Partner of the Company since on or about November 25, 1999.
2. On or about May 2004, then Company president Jed Friesen resigned from the Company. Upon Jed's departure, I assumed his responsibility for overseeing the Company's intellectual property portfolio.
3. On or about June 1, 2004, I with John Friesen, Managing Partner and another owner of the Company, performed a core review of the Company's intellectual property portfolio. The purpose of this core review was to assess the relevance of each of the Company's patent and trademark applications to the Company's business plan, and to abandon those patent and trademark

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applications that were no longer relevant. In performing our core review, we reviewed each of the Company's patents and patent applications. Upon review of application PCT/CA03/00927 "Bung for Paper Roll" ("Subject Application"), we decided that this application was relevant and should be filed in the United States Patent Office.

4. I met with Kevin Shoemaker, employee of the Company and responsible for administering the Company's intellectual property portfolio, on or before June 10, 2004 to discuss the Company's intellectual property portfolio. I provided Kevin with a list of patent and trademark applications that should be maintained and instructed him to instruct the Company's patent agent accordingly. Due entirely to my unintentional clerical error, I failed to include the Subject Application on this list.
5. In accordance with my instructions, Kevin on June 10, 2004 instructed the Company's patent agent to maintain only the patent and trademark applications on my list. A copy of Kevin's email instructions to Kim Smith of the Company's patent agent is enclosed as Exhibit "A"; this email incorporates my list and does not include the Subject Application.
5. Kevin left the Company on July 7, 2004. Fay Ferreira, administrative assistant of the Company, then assumed responsibility for administering the Company's Intellectual property portfolio.
6. In December 2004, I asked Fay to perform a status review of the Company's patent files. When Fay provided me with her status review in late December 2004, we discovered that the Subject Application had been unintentionally omitted from Kevin's email.
7. On January 7, 2005, the Company contacted its patent agent to inquire about the status of the Subject Application and the possibility of reinstating it. Steps were immediately taken to contact the inventor, Ladislav Paukov, in order to obtain his signature for a Declaration and Power of Attorney, so that the

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Subject Application could be filed. However, Mr. Paukov was no longer with the Company and there was some delay in locating him.

8. Mr. Paukov finally executed the Declaration and Power of Attorney on January 25, 2005, and the Subject Application was filed in the USPTO on February 3, 2005.

9. I hereby declare that the entire delay in filing the Subject Application in the USPTO was unintentional. Since June 1, 2004, I intended for the Subject Application to be filed in the USPTO, and since our discovery that this application was not so filed, the Company took diligent and prompt steps to have this application filed on February 3, 2005.

10. I hereby further declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the Subject Application or any patent issue thereon.

Respectfully Submitted,

Dated: March 3/06

By: [Signature]

Matt Friesen

Witnessed by: [Signature]

(signature)

FAT V. FERLEIRA

(print name)

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**Kim D. Smith**

From: Kevin Shoemith [mailto:kshoemith@globalplastics.com]  
 Sent: Thursday, June 10, 2006 8:39 AM  
 To: Kim Smith  
 Subject: Global Plastics - Operations Review

Hello Kim -

We're taking an aggressive line on removing some of the excesses in the area of patents and trademarks. This means that we've decided to close or abandon all of the most important applications.

Here is a list of what we are keeping open/active:

1882-120 Spacer for Glass Blocks (US Application)  
 1882-122 Spacer for Glass Blocks (CA Application)

2282-122 GLOBAL Trademark Application (US)  
 2282-123 GLOBAL Trademark Application (US)  
 2282-126 Paper Towel Holder - Bay Edge (US)  
 2282-134 Dual Toilet Roll Dispenser (US)

Any new files that we've initiated with Saranjit Mark are also to be kept open.

Please call if you have any questions concerning or anything else.

Thanks and regards,

Kevin Shoemith - Document Controller  
 Global Plastics  
 kshoemith@globalplastics.com  
 604-514-0500

EXHIBIT "A" to the  
 Declaration of Matt Friesen